

In the United States Court of Federal Claims

No. 02-1211 V

(Filed June 26, 2009)

WALTER RAY GRAVES, and)
LISA GRAVES as Representatives)
of the Estate of HAYLEY NICOLE)
GRAVES, Deceased,)
Petitioners,)
v.)
SECRETARY OF THE DEPT. OF)
HEALTH AND HUMAN)
SERVICES,)
Respondent.)

ORDER

By the Remand Order, filed April 9, 2009, the proceedings directed did not encompass sustainability of the compensation decision. This review issue remains for resolution. The impact of the recent decision in *Andreu v. Sec'y of Health & Human Servs.*, ___ F.3d ___, 2009 WL 1688231 (Fed. Cir., June 18, 2009) will subsequently be addressed with respect to resolving this review issue and supplemental briefing will be requested.

However, it would be helpful to obtain the analysis of the special master on this matter.

Accordingly, it is **ORDERED** that the special master may expand the remand proceedings to include briefing on the impact, if any, of the *Andreu* ruling on the initial compensation decision in this case and include this issue in the forthcoming decision on remand.

s/ James F. Merow

James F. Merow

Senior Judge